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CONSIDERATION OF EFFECTIVE MEASURES TO ENHANCE THE PROTECTION, SECURITY AND SAFETY OF DIPLOMATIC AND CONSULAR MISSIONS AND REPRESENTATIVES

Report of the Secretary-General

Addendum

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II. REPORTS AND VIEWS RECEIVED FROM STATES

A. Reports received from States pursuant to paragraph 8 of General Assembly resolution 43/167

1. Note verbale from the Permanent Representative of Finland to the United Nations addressed to the Secretary-General 1/

[Original: English]

[25 September 1990]

On 11 August 1990, at about 3 a.m., a group of about 25 youths tried to force their way into the grounds of the Iraqi Embassy at Helsinki. Stones thrown over the fence at the Embassy windows caused cracks. Flower-beds by the Embassy were damaged and the name-plate of the Embassy was taken down.

Eight persons were arrested and questioned by the police. According to the police, the incident was not planned or politically motivated. Protective measures in respect of the Embassy were tightened. The Minister for Foreign Affairs apologized to the Embassy on behalf of the Finnish Government.

2. Note verbale from the Permanent Mission of France to the United Nations addressed to the Secretary-General 2/

[Original: French]

[25 September 1990]

On the morning of Friday, 14 September, a group of Iraqi soldiers stormed the residence of the Ambassador of France in Kuwait City, forcing their way thorugh the gates and breaking down the door to the residence.

The four persons there, namely, the military attaché and three French nationals residing in Kuwait, were arrested.

The military attaché was not brought back to the residence until the end of the morning. There he observed that the building had been serious damaged and robbed and that the telephone system had been destroyed.

The three other Frenchmen were taken to Baghdad, where they are still being detained.

These actions were perpetrated in violation of the basic principles of diplomatic law.

The Iraqi authorities initially denied that these events had occurrred, claiming that the persons in question had been arrested "at the home of a princess of the reigning family".

In a communiqué dated 23 September, they finally acknowledged this serious violation, attributing it to "confusion".

The French authorities, in a communiqué published on 24 September, stated: "France has received no confirmation through official channels of the excuses that have been offered. In any event, France could not accept them as satisfactory and expects that Iraq will immediately release the three persons who were taken during that event on 14 September as well as all hostages, French and foreign, who are being unjustly held."

3. Notes verbales from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General 3/ 4/

[Original: English]

[24 September 1990]

Incidents relating to the Dutch diplomatic and consular missions and representatives abroad:

1. Time, date and location of the reported violation.

   12 September 1990, 6.30 a.m. local time, residence of the Ambassador of the Netherlands in Kuwait.

2. Characteristics of the reported violation.

   Ten Iraqi soldiers entered the residence of the Netherlands Ambassador, ignorning the statement of the Netherlands Ambassador that entering the residence constitutes a violation of international law. Soldiers stroke the national flag of the Netherlands, searched the residence and confiscated communications equipment.

3. Mission or representative against whom the reported violation was directed.

   Residence of the Netherlands Ambassador in Kuwait City, Kuwait.

4. Casualties sustained and damage caused by the reported violation.

   No casualties, damages as yet not assessed.

5. Name, nationality, place of habitual or permanent residence of the alleged offender(s) and other available information regarding the identity of such offenders.

   Members of the Iraqi occupying Force in Kuwait.

6. Devices and means used for carrying out the reported violation.

Unknown.

7. Accomplices of the alleged offenders.

Unknown.

8. Measures taken to apprehend and to bring the alleged offender to justice.

None.

9. Final outcome of the proceedings against the offender.

None.

10. Assistance of other States directly concerned in connection with the proceedings brought in respect of the offence(s) committed.

Not applicable.

11. Measures adopted with a view to preventing a repetition of the reported violation.

Unknown.

12. Other relevant information.

The aforementioned violation must be considered a feature of a gross pattern of intimidation and violations of international law by the Iraqi occupying Forces in Kuwait, directed in particular against the diplomatic and consular missions resident in that country.

[Original: English]

[1 October 1990]

With reference to the Secretary-General's note No. LA/COD/4 of 19 July 1990.

The Government of the Kingdom of the Netherlands wishes to report action taken in response to the incident that took place at the city of Deventer (the Netherlands) as described in paragraph 4 of the report received by the Secretary-General from the Permanent Representative of Turkey to the United Nations, dated 9 July 1990. The Secretary-General is requested to circulate this note in an addendum to his report under agenda item 141 of the present session of the General Assembly.

The Deventer Municipal Police, after being notified by the Turkish Consulate General that a demonstration was taken place in front of the Consulate, responded

immediately. Upon arrival, the police dispersed the crowd and made three arrests, charging the alleged offenders with causing material damage; public violence; resisting arrest; and participation in a demonstration of which the authorities had not been notified.

Damage to the Consulate was limited to stains of paint (caused by bags filled with this very substance). The stains were removed by a cleaning company upon instruction of the municipal authorities. The case of the alleged offenders was subsequently brought to Court and the offenders were sentenced to fines ranging between f.250 and f.800.

Notes

1/ Transmitted to the Permanent Representative of Iraq to the United Nations by a note verbale from the Secretary-General dated 28 September 1990 and circulated to all States under cover of a note verbale from the Secretary-General dated 28 September 1990.

2/ Transmitted to the Permanent Representatives of Iraq and Kuwait to the United Nations by notes verbales from the Secretary-General dated 27 September 1990 and circulated to all States under cover of a note verbale from the Secretary-General dated 2 October 1990.

3/ Transmitted to the Permanent Representatives of Iraq and Kuwait to the United Nations by notes verbales from the Secretary-General dated 26 September 1990 and circulated to all States under cover of a note verbale from the Secretary-General dated 28 September 1990.

4/ Transmitted to the Permanent Representative of Turkey to the United Nations by a note verbale from the Secretary-General dated 5 October 1990 and circulated to all States under cover of a note verbale from the Secretary-General dated 11 October 1990. The report received by the Secretary-General from the Permanent Representative of Turkey dated 9 July 1990 is included in the present report of the Secretary-General (A/45/455).